

DECLARATION
Original Application

As a below named inventor, I hereby declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed below, or a joint inventor if plural inventors are named below, of the subject matter claimed and for which a patent is sought in the application entitled:

**"MEANS AND METHOD OF DATA ENCODING
AND COMMUNICATION AT RATES ABOVE THE CHANNEL BANDWIDTH"**

which is described and claimed in:

- ☒ the attached specification or ☐ the specification in application
Serial No., _____ filed _____
(for declaration not accompanying application)

that I do know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than year prior to this application, or in public or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to patentability in accordance with 37 CFR, § 1.56. I hereby stated that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I hereby claim priority benefits under 35 U.S.C. §119, §172 or §365 of any provisional application or foreign application(s) for patent or inventor's certificate listed below. All foreign applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed are also identified below.

PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED

Country	Application Number	Filing Date
US	10/079,260	February 21, 2002
GB	0202366.1	February 1, 2002

FULL NAME AND RESIDENCE OF INVENTOR 1

Last name	First Name	Middle Name
ABROSIMOV	Igor	Anatolievich
City	State or Foreign Country	Country of Citizenship
ST.PETERSBURG	RU	RU
Post Office Address	Moskovsky pr., 36-7	
City	State or Country	Zip Code
St. Petersburg	Russia	198013

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Inventor:
ABROSIMOV, Igor Anatolievich



Date:
September 1, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application or Patent of:

ABROSIMOV, Igor, Anatolievich

Serial or Patent No.

Filed or Issued:

For:

**"MEANS AND METHOD OF DATA ENCODING
AND COMMUNICATION AT RATES ABOVE THE CHANNEL BANDWIDTH"****VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS (SMALL BUSINESS CONCERN)**

We hereby declare that we are:

- ☐ the owner of the small business concern identified below:
☒ officials of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: **ACUID CORPORATION (GUERNSEY) LIMITED**ADDRESS OF CONCERN: **1 Le Marchant St., St. Peter Port, Guernsey
C.I., GY1 4HP, GUERNSEY, BRITISH ISLES**

hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12 and in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons.

Definitions: For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

We hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled, by inventor(s) described in

☒ the specification filed herewith☐ Application Serial No. filed on☐ Patent No. issued

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d), or a non-profit organization under 37 CFR 1.9(e).

**NOTE: Separate verified statements are required from each named person, concern or organization*

having rights to the invention averring to their status as small entities. (37

CFR 1.278).

NAME:

ADDRESS:

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORANIZATION

We acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b)).

We hereby declare that all statements made herein of our own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this verified statement is directed.

Name of Person Signing: **DEAS, Alexander Roger**Title of Person (if other than owner): **President**Address of Person Signing: **King's Gate Lodge, Dalkeith,
EDINBURGH, EH22 1ST, UK**

Signature: _____

Date: **September 1, 2003**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application or Patent of:

ABROSIMOV, Igor, Anatolievich

Serial or Patent No.

Filed or Issued:

For:

**"MEANS AND METHOD OF DATA ENCODING
AND COMMUNICATION AT RATES ABOVE THE CHANNEL BANDWIDTH"****VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS (INDEPENDENT INVENTOR)**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled as described in:

- ☒ the specification filed herewith
- ☐ application Serial No. filed
- ☐ Patent No. issued

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37CFR 1.9(c.) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization
- ☒ persons, concerns or organizations listed below*

* Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full name: **ACUID CORPORATION (GUERNSEY) LIMITED**
 Address: **1 Le Marchant St., St. Peter Port, Guernsey, C.I., GY1 4HP**
Guernsey, BRITISH ISLES

☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b)).

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Inventor:
ABROSIMOV, Igor Anatolievich



Date:
September 1, 2003